

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWARD DEAN CASSIDY,

Defendant.

CR 17-59-GF-BMM

ORDER

The Court held a competency hearing for the Defendant, Edward Dean Cassidy, on July 29, 2021. (Doc. 86). Cassidy suffered two strokes, one in December 2011 and one in January 2012. Those strokes left him with significant paralysis and neurocognitive impairments.

Dr. Tiffany K. Smith, a forensic psychologist, reported that Cassidy likely suffers from Major Vascular Neurocognitive Disorder, Severe Alcohol Use Disorder, Severe Cannabis Use Disorder, and Severe Stimulant Use Disorder. The Court heard testimony from Dr. Smith regarding Cassidy's challenges in comprehending the nature of his violations of supervised release as well as his

challenges in communication. Dr. Smith opined, in part, that Cassidy demonstrated deficits in his ability to assist counsel in his defense. The Court found Cassidy struggled to communicate pertinent legal facts and concepts with the Court and counsel. In the interest of prudence, the Court requires further psychological evaluation to help clarify Cassidy's status.

The Court finds Cassidy's brain condition and related deficiencies substantially impair Cassidy's present ability to understand the nature and consequences of the court proceedings brought against him, and substantially impair Cassidy's ability to assist counsel in his defense. The Court finds by a preponderance of the evidence, absent further psychological evaluation, that Cassidy presently suffers from a mental defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Therefore, **IT IS HEREBY ORDERED** that:

1. The Defendant, Edward Dean Cassidy, is committed to the custody of the Attorney General for a period of time not to exceed four months, consistent with the provisions of 18 U.S.C. § 4241(d), to determine whether there exists a substantial probability that in the foreseeable future that Cassidy will attain the capacity to permit the proceedings to go forward.

2. The Attorney General will submit periodic status reports as to Cassidy's mental condition to the Court, which will be disbursed to counsel of record.

Dated this 29th day of July, 2021.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court